

THE DAILY PRESS  
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PRICE OF MAILING.  
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Months, \$1.00; One Year, \$4.00.

#### AMUSEMENTS.

**Wood's Theater**  
CORNER SIXTH & VINE STS., CINCINNATI.

Manager, George Wood. Proprietor, George Wood.  
Musician, George Wood. Lighter, George Wood.  
Proprietor, George Wood. Lighter, George Wood.  
Proprietor, George Wood. Lighter, George Wood.

NOTICE.—TIME CHANGED.  
Doors open at 6 1/2 o'clock; Performance commences  
at 7 1/2 o'clock.

PRICES OF ADMISSION.  
Dress Circle and Parquet, 50 cents; Family Circle,  
25 cents.

Last night of the engagement of  
**MR. AND MRS. ELLISER.**

SATURDAY EVENING, March 12, will be pre-  
sented, for the last time, the beautiful drama, entitled  
**CINDERELLA.**

Or, THE LITTLE GLASS SLIPPER.

Cinderella, Mrs. Elliser. Prince, Mr. Elliser.  
Baron Pompadour, Mr. Elliser. Fairy, Mrs. Elliser.  
Dandini, Mr. Elliser. Fairy, Mrs. Elliser.

After which the favorite spectacle of  
**THE FORTY THIEVES.**

Morgan, Mrs. Elliser. Morgan, Mrs. Elliser.  
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TO conclude with  
**A GLANCE AT NEW YORK.**

George Peterkin, Mr. Elliser. George Peterkin, Mr. Elliser.  
George Peterkin, Mr. Elliser. George Peterkin, Mr. Elliser.  
George Peterkin, Mr. Elliser. George Peterkin, Mr. Elliser.

MR. AND MRS. ELLISER, the eminent Tru-  
dian, are engaged and will appear on Monday.

**NEW NATIONAL THEATER**  
LEWIS BAKER, Sole Lessee. D. A. SANDERSON, Stage  
Manager. W. C. THOMPSON, Treasurer.

Positively last appearance of the eminent Euro-  
pean Tragedian,  
**BARRY SULLIVAN.**

SATURDAY EVENING, March 12, will be acted  
Shakespeare's tragedy, in a new and  
MACBETH.

Macbeth, Barry Sullivan. Macbeth, Barry Sullivan.  
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# The Daily Press.

Vol. 1. No. 17.

CINCINNATI, SATURDAY MORNING, MARCH 12, 1859.

Price One Cent.

#### LOCAL NEWS.

Cincinnati, March 12, 1859.

**ERICSSON'S CALORIC EN-  
GINE**, the first and only one in the  
West, propels our Lightning Hoe Press.

**STEAM WAS!**  
**CALORIC IS!!**  
**ERICSSON FOREVER!!!**

**Clothing Intelligence.**  
**SPRAGUE'S**  
Compliments to all. Will be home for three months.  
No. 10 East Fourth Street.

March 12, 1859.

**New Styles Spring Over Coats.**

**Departure of Trains.**

CINCINNATI, HAMILTON & DAYTON—6:00 A. M., 8:40  
A. M., 1:30 P. M., 2:40 P. M., Hamilton Accommo-  
dation.

CINCINNATI & ST. LOUIS—9:00 A. M., 4:15 P. M., 10:30  
P. M., Louisville Express.

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#### LAW REPORT.

SUPERIOR COURT.

GENERAL TERM.—The Judges sat in General  
Term, (Judge Spencer presiding), and delivered  
opinions in the following cases:

**Boyd vs. Durrell.** A petition in error.  
Judge Spencer delivered the opinion—the  
question being, whether, in the event of a  
Judge considering the verdict of a jury ex-  
cessive as to damages, he could allow such error  
to be cured by a remitter. It was the uni-  
form practice to reduce verdicts in this way,  
and it was sanctioned by the opinion of the  
Supreme Court, Judge affirmed.

**Hume vs. Payne & Co. and McAvoy.** The  
case was before the Court on a writ of error to  
a decision at Special Term on a demurrer,  
which raised a question as to a misjoinder  
of parties, and involved an inquiry touching  
the relations of principal and agent.

The Court (Judge Spencer) delivering the  
opinion at considerable length) came to the  
conclusion, on the whole case, that there was no  
error on the record, and that judgment should  
be affirmed.

**Rogers & McIntire vs. Stillwell & Anderson.**  
Judge Spencer announced the opinion, and allowed  
a correction of the judgment to the extent of  
\$150.

**Thornton Check vs. the L. M. Railroad Co.**  
The plaintiff brought an action for the loss of  
some of his baggage, and claimed the right to  
recover upon the authority of a through ticket  
from Washington to Cincinnati—said ticket  
having been purchased from a person alleged to  
have been an agent for all the lines of railroad  
between these two points.

In disposing of the case Judge (Spencer) re-  
marked that, the ticket being recognized by  
defendants, such recognition was a sufficient  
evidence of the authority of the agent. If there  
were any circumstances existing by which it  
could be shown that the several lines of road  
made several contracts, they did not appear on  
the record in this case; and before the Court  
could reverse the judgment, it must appear  
affirmatively that injustice had been done.

Judgment affirmed.

**COMMON PLEAS.**

**Civil Side.**—Joseph Taylor vs. Wm. Taylor  
and others. Judge Dickson disposed of this  
case—an application for partition among the  
heirs of Robert Taylor, deceased. One of  
the heirs is a grandchild of said Robert Tay-  
lor, and sole representative of her mother,  
the daughter of Robert Taylor. This grand-  
child, after the death of her mother, was pro-  
ceeding in the Probate Court under the statu-  
te, designated by her grandfather as his heir.  
The grandchild now claims a double portion—  
one as the representative of her mother—the  
other, by reason of this designation.

This statute allowing the designation is found  
in Section Revised Statutes, page 324. It was  
manifestly intended to enable a person to dis-  
tribute his property among his heirs by law, and  
not to add anything to the son's rights  
by a designation of his father. There-  
fore, if a person designates one as heir to him,  
whom the laws of descent make heir, such  
would be supererogation, and would not make  
the person thus designated a double heir. In  
this case, therefore, the grandchild received  
nothing by such designation, and is not entitled  
to a double portion.

**Criminal Side.**—In the case of Abraham  
Cross, tried before Judge Carter, for the grand  
larceny committed on the premises of the late  
William Churchill, the argument occupied the  
forenoon. Verdict of guilty, and property as-  
sessed at \$100.

**William H. Kerr for the State, and T. A.  
O'Connor for defense.**

**Samuel Johnson** tendered pleas of guilty to  
two indictments for burglary.

**John Wise** pleaded guilty to a similar charge.

**POLICE COURT.**—At the Police Court yester-  
day morning the session was short, although  
quite a number of cases, most of them of that  
class which is usual there, were disposed of.  
We give a few of the more important.

About a month ago the residence of a man  
named John Roark, was burglariously entered,  
from which \$80 in money and some clothing  
were stolen. Several persons since then have,  
at different times, made their appearance be-  
fore Judge Pruden, charged with the offense;  
but the proof has not in any case been conclu-  
sive. Yesterday William Whitten was com-  
mitted, in default of \$300 bail, for his appear-  
ance to-day to answer this accusation.

A fellow, who gave his name as Brown, and  
who, from his appearance, evidently knew bet-  
ter, was fined \$25 and costs for having been  
guilty of a disgusting exposure of his person.

The four boys of whom we spoke yesterday  
as having been arrested for burglary, having  
been suspected of entering the establishment  
of Mr. Way on Main street, were held to bail  
in the sum of \$300, each, for their appearance  
to-day at the Police Court.

Another pair of hopeful youths named Charles  
and Thomas Flanagan, who were arrested a day  
or two ago on a charge of petty larceny, were  
before his Honor yesterday, and the former  
fined \$20 and costs, and the latter sent to the  
House of Refuge.

A fellow, named Shields, who while drunk  
raised a row at the Railroad Hotel, on Front  
street, broke the glasses, decanters, etc., and  
bit off the ear of the bartender as remorselessly  
as Peter cut off that of one of the rabble, was  
held in \$300 for his appearance before the  
Court of Common Pleas.

**John McIlvain**, who was charged with grand  
larceny, in having stolen \$125 from a lady, who  
passed the night of Wednesday in a barge on  
Rittenhouse street, was held in the sum of \$200  
for his appearance on Monday.

**BOARD OF IMPROVEMENTS.**—The Board of  
City Improvements, at their session yesterday,  
authorized the Clerk to transmit to Council an  
ordinance to pave with bowlders Pitt alley,  
from Fifteenth street to Adams street.

The Commissioner of the Eastern District  
was authorized to repair Main street from  
Fourth street to the Canal, at a cost not exceed-  
ing \$45.

The Clerk was directed to advertise for pro-  
posals to repair the intersection of Court and  
Race streets with flagging at each crossing,  
and to transmit to Council an ordinance to  
pave Logan street, from Liberty street to Elder  
street, with bowlders.

He was also directed to notify the Telegraph  
Company to remove the post at the corner of  
Carr street and the Whitewater Canal.

The County Commissioners did not hold  
their regular session yesterday, in consequence  
of having a joint session with the Commis-  
sioners of Dearborn County, at Harrison, in  
regard to some business concerning the bridge  
which crosses Whitewater River and connects  
the two counties.

#### CITY COUNCIL.

SPECIAL MEETING.

The special meeting was called for the purpose  
of considering the remaining sections of the Wharf Or-  
dinance.

The City Lay.—Before it was taken up a resolution  
was presented by Mr. Perry for having the trees  
around the City Lot properly trimmed, at an expense  
not exceeding \$5. The resolution was adopted.

**Wharf Ordinance.**—After considerable discussion  
the following sections were passed:

Section 11. The amount of wharfage to be paid  
by every steamboat, barge or water-craft, for storage  
land or anchor within one hundred feet of the land-  
ing, shall be eight cents per ton, custom-house ton-  
nage, which shall be paid in advance, and shall be  
paid by the owner of the vessel, or by the captain,  
if the vessel is without a captain, at the time of the  
landing, and shall be paid by the owner of the vessel